

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR-11-0625 EMC

Plaintiff,

v.

**ORDER RE EVIDENTIARY  
OBJECTIONS**

BASSAM YACOUB SALMAN, A/K/A  
BASSAM JACOB SALMAN

Defendant.

Before the Court are two evidentiary objections raised by the Defendant.

Defendant objects to government exhibits 29, 35, 85-86, plea agreements and deferred prosecution agreements of cooperating witnesses. The objection is overruled. As stated in the Final Pretrial Conference Order, these exhibits do not constitute inadmissible hearsay and are admissible provided the government redacts all statements of fact made by the party to each agreement from each exhibit.

Defendant objects to Exhibit 82, as modified by the government. In the Final Pretrial Conference Order, the Court ruled Exhibit 82 would be admissible under Fed. R. Evid. 1006 provided the government removed the column titled "Description of Citigroup Involvement" and three "Date of Contact" columns. The government argues it has complied with this instruction. The Defendant argues the revised chart suffers from the same defect as the original. The objection is sustained. Exhibit 82 as revised continues to present or suggest factual conclusions that require an inferential leap from the underlying documents. This is not the purpose of a summary chart. Should

1 the government remove the three "Telephone Record" columns, this would address the objection,  
2 and the remaining information would be admissible pursuant to Fed. R. Evid. 1006.

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4 IT IS SO ORDERED.

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6 Dated: September 12, 2013



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EDWARD M. CHEN  
United States District Judge